

REMARKS

Claims 6-9, 11-14, and 18, 19, 21, and 22 were pending prior to entering this amendment. Claims 6-8, 11-13, 18, 21, and 22 have been amended for clarification. The clarifying amendments include renumbering claims 21 and 22 as claims 20 and 21, respectively. The applicants do not add new matter and respectfully request reconsideration and allowance of the present application.

Claim Objections

The examiner objected to the claims for informalities.

The term “summer analog signal” has been amended throughout the claims to recite “addition analog signal” for consistency with the terminology used in numerous portions of the specification, e.g. paragraph 0008 and numerous other portions of the specification. Thus, the objection is moot.

Claims 21 and 22 have been amended for renumbering. Accordingly, the objection based on claim numbering is moot.

Provisional Double Patenting Rejection

The examiner *provisionally* rejected claim 6 on the ground of nonstatutory obviousness-type double patenting based on copending Application No. 11/498,416.

A provisional double patenting rejection that has not ripened into an actual rejection by the time the application is ready to be allowed should be withdrawn and a notice of allowance mailed. *See* MPEP 804, section I, subsection B, subsection 1, first sentence stating “[i]f a “provisional” nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications... the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer.” (emphasis added). Here, the provisional double patenting rejection has not ripened into an actual rejection because the application relied upon for the provisional rejection is not yet an issued patent. Moreover, the present application is the earlier of the two pending applications and there are no rejections remaining in the present application. Accordingly, applicants respectfully request that the Examiner withdraw the provisional double patenting rejection and mail the notice of allowance in the present application.

CONCLUSION

For the foregoing reasons, the applicants respectfully request reconsideration and allowance of the present application. The applicants encourage the examiner to telephone the undersigned at (503) 546-1811 if it appears that an interview would be helpful in advancing the case.

Customer No. 73552

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

A handwritten signature in dark ink, appearing to read 'Michael A. Cofield', is written over a horizontal line.

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